

REMARKS

Claims 1-44 are pending in this application. Claims 1, 11, 19 and 32 are independent claims. Claims 1, 11, 19 and 32 have been amended.

Reconsideration of the application, as amended, is respectfully requested.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal. This Amendment was not presented at an earlier date in view of the fact that Applicants did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

Information Disclosure Citation

Applicants thank the Examiner for considering the reference supplied with the Information Disclosure Statement filed November 21, 2000, and for providing Applicants with an initialed copy of the PTO-1449 form filed therewith.

Drawings

Applicants acknowledge receipt of the Notice of Draftsperson's Patent Drawing Review PTO-948 indicating that the formal drawings have been approved by the Draftsperson.

35 U.S.C. §102 Rejection

Claims 19-20, 22, 24, 26-31, 39 and 43 have been rejected under 35 U.S.C. §102(e) as being anticipated by USP 6252597 to Lokuge. This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 19 has been amended to recite a combination of elements in a method for displaying OSD menu items on a screen, including opening a space between a first main menu item selected from the main menu items and a second main menu item adjacent to the first main menu item, such that the first main menu item is not displayed in said opened space. Applicants respectfully submit that this combination of elements as set forth in independent claims 19 is not disclosed or made obvious by the prior art of record, including Lokuge.

At the outset, the Applicants note that Lokuge fails to teach opening a space between a first main menu item selected from the main menu items and a second main menu item adjacent to the first main menu item.

Particularly, computer display (40) has a defined region (46), in which a list (44) of first main menu items (top tier 50) are displayed (see Fig. 4 of Lokuge). A first main menu item "bookmarks" and a second main menu item "email" are located adjacent to one another. However, when first main menu item bookmarks is selected, a space is not opened between bookmarks and email. Rather, the space showing the first main menu item bookmarks is expanded. The rejection under 35 U.S.C. 102 is not proper.

Further, even if a space were opened, Lokuge does not teach the first main menu item is not displayed in said opened space. The rejection under 35 U.S.C. 102 is not proper.

Particularly, Lokuge fails to teach a combination of elements in a method for displaying a menu in an OSD device, including opening a first space between a first main menu item and a second main menu item adjacent to the first main menu item when the first main menu item is selected from the displayed main menu items, as recited in independent claim 19, as amended.

Accordingly it also holds that Lokuge fails to teach a combination of elements in a method for displaying a menu in an OSD device, including opening a first space between a first main menu item and a second main menu item adjacent to the first main menu item when the first main menu item is selected from the displayed main menu items using the item indicator and the selecting device such

that the first main menu item is not displayed in said opened space, as recited in independent claim 19, as amended.

Claims 20, 22, 24, 26-31, 39 and 43 depend on claim 19, and therefore are patentable at least for the reasons stated with respect to independent claim 19. Reconsideration and withdrawal of these art grounds of rejection is respectfully requested.

35 U.S.C. §103 Rejection

Claims 1, 2-4, 6, 7, 9-12, 14, 15, 17, 32, 34-38, 40-42 and 44 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lokuge in view of USP 6539548 to Hendricks et al. (Hendricks). This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 1 has been amended to recite a combination of elements in a method for displaying OSD menu items on a screen, including opening a space between a first main menu item selected from the main menu items and a second main menu item adjacent to the first main menu item, such that the first main menu item is not displayed in said opened space. Claims 11 and 32 have been similarly amended. Applicants respectfully submit that these combinations of elements as set forth in independent claims 1, 11 and 32 are not disclosed or made obvious by the prior art of record, including Lokuge and Hendricks.

Particularly, Lokuge, as argued above with respect to independent claim 19, fails to disclose or suggest a combination of elements in a method for displaying a menu in an OSD device, including opening a first space between a first main menu item and a second main menu item adjacent to the first main menu item when the first main menu item is selected from the displayed main menu items using the item indicator and the selecting device such that the first main menu item is not displayed in said opened space.

Similarly, Lokuge fails to teach or suggest the above-recited features of independent claims 1, 11, and 32 (as amended). Reconsideration and withdrawal of these art grounds of rejection is respectfully requested. Hendricks cannot supply the deficiency of Lokuge.

With regard to dependent claims 2-4, 6-7, 9-10, 12, 14, 15, 17, 34-38, 40-42 and 44, Applicants submit that claims 2-4, 6-7, 9-10, 12, 14, 15, 17, 34-38, 40-42 and 44 depend, either directly or indirectly, from independent claims 1, 11 and 32, which are allowable for the reasons set forth above, and therefore claims 2-4, 6-7, 9-10, 12, 14, 15, 17, 34-38, 40-42 and 44 are allowable based on their dependence from claims 1, 11 and 32. Reconsideration and allowance thereof are respectfully requested.

Amendment dated March 24, 2004

Appl. No. 09/716,227

• Response to Final Office Action of October 24, 2003

Group: 2173

Conclusion

In view of the above amendments and/or remarks, an issuance of a Notice of Allowance is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Percy L. Square (Reg. No. 51,084) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

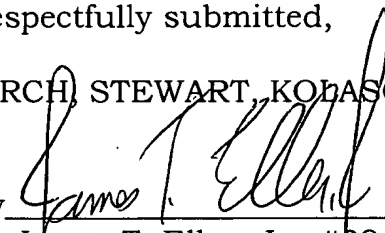
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a two (2) month extension of time for filing a reply in connection with the present application, and the required fee of \$420.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.


Respectfully submitted,

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By


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